

REMARKS

Claims 1, 3, 4, 5, 6, 8, 9, 10, 11 and 12 have been amended.

Claims 2 and 13 have been cancelled.

Claim 7 remains as originally presented.

The claim objections pertaining to claim form have been noted and acknowledged.

Claims 1, 3, 4 and 12 were rejected as being anticipated by White RE 7215.

Claims 1, 3, 6, 7 and 9 were rejected as being anticipated by Wiederstein.

Claims 1, 3, 4, 6, 7, 9, 10 and 12 were rejected as being anticipated by Schmedemann.

Claims 2, 8 and 13 were rejected as being unpatentable over Schmedemann in view
of Leichtl.

Claims 5 and 11 were rejected as being unpatentable over Schmedemann in view of
Freber and Alster.

The White reference has an adjustable headrest rearwardly offset from a chair back
and relying on a clamp D to retain a post H.

The patent to Wiederstein discloses a headrest carried by a post 19 within an area normally closed by a seat back 16 in frame 15 per Figure 2. A push button control 40 projects through the seat back for unlocking of a latch 32 acting on a seat post 19. A spring 37 biases latch 32 into a canted position to lock post 19 in place. A user of the mechanism must depress push button control 40 with one hand to release plate latch 32 while lifting the head rest 20 with the other hand. Latch 32 does not engage post 19 in a manner providing desired resistance to adjusted movement of the post. Post 19 is either locked or fully free to move by manual force.

The patent to Schmedemann discloses “a housing 12 which is disposed behind a patient chair (not shown).” Col. 2, lines 35 and 36. Clearly, the adjustable features (Figs. 3-6) of the reference require access provided by the housing disposed rearwardly of a patient chair to permit adjustment and hence preclude enclosing same within the back of a dental chair or seat. Applicant’s retainer for a headrest requires but a single adjustable member. The Schmedemann reference fails to disclose a patient chair but rather a housing located rearward of a chair back.

The Leichtl reference discloses a channel shaped, synthetic sleeve partially about a headrest post 14 of a vehicle seat. The transposing of the Leichtl sleeve 52 to the Schmedemann device, for purposes of argument, is not feasible in view of the primary reference lacking any support for the sleeve of channel shape. Neither Schmedemann nor

Leichtl suggests or teaches the application of force to a headrest post via a portion of a synthetic bearing sleeve.

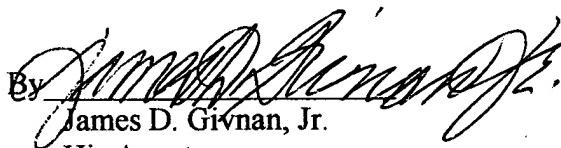
With regard to paragraph 8 of the Office Action and the rejection of claims 5 and 11 as being rendered unpatentable over Schmedemann in view of the patent to Freber and to Alster, the Schmedemann reference, discussed above, fails to teach an adjustable headrest within a chair back. Schmedemann's multiple adjustable components would require full access. Freber discloses a car seat generally at B with no provision made for access to the chair interior. Plate 50, referred to in the Office Action, is entirely within an adjustable headrest as opposed to being a chair component proper. Plate 50 is referred to as a "bottom tab" per Column 5, Line 9 and lies entirely within the headrest generally at A. Opening 52 in bottom plate 50 of Freber serves only for tool access for adjusting resistance to headrest movement about axis X. The patent to Alster discloses a chair in Figure 4 with horizontal side members 36 and 32 threaded at their ends with the threaded ends insertable into legs as at 12 whereat they are secured by internally threaded caps as at 68, 70, 72 and 74 for chair assembly and could not be temporarily removed for any purpose without jeopardizing the chair integrity. No dual purpose fastener is shown for temporary removal for headrest adjustment purposes. To reiterate, the patent to Freber discloses simply an opening in a bottom plate 50 enabling access of a tool into the interior of a headrest Alster carries threaded components, the removal of which would be only for chair disassembly.

Notice is taken of the U. S. patent to Olsen and the U.S. patent to Terui et al and the U.S. patent to Tai et al.

The claims remaining at bar are believed to clearly and patentably define novel structure not found or suggested by the references singly or combined and hence an allowance of the claims is believed in order and courteously solicited.

Respectfully submitted,

STEVEN W. TAATJES

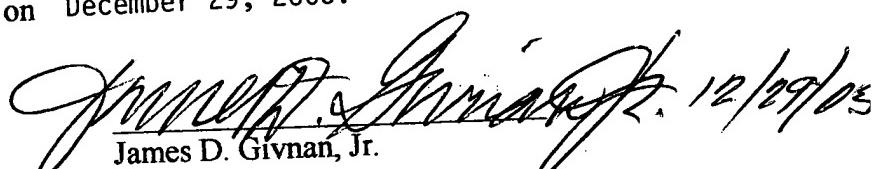
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D. C. on December 29, 2005.


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